

Agricultural Marketing Service, USDA

§ 60.106

less frequently than once each reporting day and the information required to be reported in paragraph (c) of this section on the first reporting day of the current slaughter week.

Subpart E—OMB Control Number

§ 59.400 OMB control number assigned pursuant to the Paperwork Reduction Act.

The information collection and recordkeeping requirements of this part have been approved by the Office of Management and Budget (OMB) under the provisions of 44 U.S.C. Chapter 35 and have been assigned OMB Control Number 0581-0186.

PART 60—COUNTRY OF ORIGIN LABELING FOR FISH AND SHELLFISH

Subpart A—General Provisions

DEFINITIONS

- Sec.
- 60.101 Act.
 - 60.102 AMS.
 - 60.103 Commingled covered commodities.
 - 60.104 Consumer package.
 - 60.105 Covered commodity.
 - 60.106 Farm-raised fish.
 - 60.107 Food service establishment.
 - 60.108–60.110 [Reserved]
 - 60.111 Hatched.
 - 60.112 Ingredient.
 - 60.113 [Reserved]
 - 60.114 Legible.
 - 60.115 [Reserved]
 - 60.116 Person.
 - 60.117 [Reserved]
 - 60.118 Pre-labeled.
 - 60.119 Processed food item.
 - 60.120–60.121 [Reserved]
 - 60.122 Production step.
 - 60.123 Raised.
 - 60.124 Retailer.
 - 60.125 Secretary.
 - 60.126 [Reserved]
 - 60.127 United States.
 - 60.128 United States country of origin.
 - 60.129 USDA.
 - 60.130 U.S. flagged vessel.
 - 60.131 Vessel flag.
 - 60.132 Waters of the United States.
 - 60.133 Wild fish and shellfish.

COUNTRY OF ORIGIN NOTIFICATION

- 60.200 Country of origin notification.
- 60.300 Labeling.

RECORDKEEPING

- 60.400 Recordkeeping requirements.

Subpart B [Reserved]

AUTHORITY: 7 U.S.C. 1621 *et seq.*

SOURCE: 74 FR 2701, Jan. 15, 2009, unless otherwise noted

Subpart A—General Provisions

DEFINITIONS

§ 60.101 Act.

Act means the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 *et seq.*).

§ 60.102 AMS.

AMS means the Agricultural Marketing Service, United States Department of Agriculture.

§ 60.103 Commingled covered commodities.

Commingled covered commodities means covered commodities (of the same type) presented for retail sale in a consumer package that have been prepared from raw material sources having different origins.

§ 60.104 Consumer package.

Consumer package means any container or wrapping in which a covered commodity is enclosed for the delivery and/or display of such commodity to retail purchasers.

§ 60.105 Covered commodity.

(a) *Covered commodity* means:

(1)–(2) [Reserved]

(3) Farm-raised fish and shellfish (including fillets, steaks, nuggets, and any other flesh);

(4) Wild fish and shellfish (including fillets, steaks, nuggets, and any other flesh);

(5)–(6) [Reserved]

(b) Covered commodities are excluded from this part if the commodity is an ingredient in a processed food item as defined in § 60.119.

§ 60.106 Farm-raised fish.

Farm-raised fish means fish or shellfish that have been harvested in controlled environments, including ocean-ranched (e.g., penned) fish and including shellfish harvested from leased beds that have been subjected to production enhancements such as providing protection from predators, the

§ 60.107

addition of artificial structures, or providing nutrients; and fillets, steaks, nuggets, and any other flesh from a farm-raised fish or shellfish.

§ 60.107 Food service establishment.

Food service establishment means a restaurant, cafeteria, lunch room, food stand, saloon, tavern, bar, lounge, or other similar facility operated as an enterprise engaged in the business of selling food to the public. Similar food service facilities include salad bars, delicatessens, and other food enterprises located within retail establishments that provide ready-to-eat foods that are consumed either on or outside of the retailer's premises.

§§ 60.108–60.110 [Reserved]

§ 60.111 Hatched.

Hatched means emerged from the egg.

§ 60.112 Ingredient.

Ingredient means a component either in part or in full, of a finished retail food product.

§ 60.113 [Reserved]

§ 60.114 Legible.

Legible means text that can be easily read.

§ 60.115 [Reserved]

§ 60.116 Person.

Person means any individual, partnership, corporation, association, or other legal entity.

§ 60.117 [Reserved]

§ 60.118 Pre-labeled.

Pre-labeled means a covered commodity that has the commodity's country of origin and method of production and the name and place of business of the manufacturer, packer, or distributor on the covered commodity itself, on the package in which it is sold to the consumer, or on the master shipping container. The place of business information must include at a minimum the city and state or other acceptable locale designation.

7 CFR Ch. I (1–1–12 Edition)

§ 60.119 Processed food item.

Processed food item means a retail item derived from fish or shellfish that has undergone specific processing resulting in a change in the character of the covered commodity, or that has been combined with at least one other covered commodity or other substantive food component (e.g., breading, tomato sauce), except that the addition of a component (such as water, salt, or sugar) that enhances or represents a further step in the preparation of the product for consumption, would not in itself result in a processed food item. Specific processing that results in a change in the character of the covered commodity includes cooking (e.g., frying, broiling, grilling, boiling, steaming, baking, roasting), curing (e.g., salt curing, sugar curing, drying), smoking (hot or cold), and restructuring (e.g., emulsifying and extruding, compressing into blocks and cutting into portions). Examples of items excluded include fish sticks, surimi, mussels in tomato sauce, seafood medley, coconut shrimp, soups, stews, and chowders, sauces, pates, smoked salmon, marinated fish fillets, canned tuna, canned sardines, canned salmon, crab salad, shrimp cocktail, gefilte fish, sushi, and breaded shrimp.

§§ 60.120–60.121 [Reserved]

§ 60.122 Production step.

Production step means in the case of:

- (a) [Reserved]
- (b) Farm-raised Fish and Shellfish: Hatched, raised, harvested, and processed.
- (c) Wild Fish and Shellfish: Harvested and processed.

§ 60.123 Raised.

Raised means in the case of:

- (a) [Reserved]
- (b) Farm-raised fish and shellfish as it relates to the production steps defined in § 60.122: The period of time from hatched to harvested.

§ 60.124 Retailer.

Retailer means any person licensed as a retailer under the Perishable Agricultural Commodities Act of 1930 (7 U.S.C. 499a(b)).